

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES P. SCANLAN on his own : CIVIL ACTION
behalf and all others similarly :
situated :
 :
v. :
 :
AMERICAN AIRLINES GROUP, INC., : NO. 18-4040

ORDER

AND NOW, this 8th day of October, 2021, for the reasons set forth in the foregoing memorandum, it is hereby ORDERED that:

(1) The motion of plaintiff to certify a class (Doc. #82) is GRANTED in part and DENIED in part.

(2) Plaintiff, having met the requirements set forth in Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure may proceed as a class representative on behalf of a class of current and former pilots at American Airlines, Inc. with the following subclasses for each count of the second amended complaint:

(a) For Count I, the court certifies a subclass of current and former American Airlines, Inc. pilots who: participated at some point in the American Airlines Group, Inc. Global Profit Sharing Plan since its inception on January 1, 2016; while participants in the Global Profit Sharing Plan, were employed in the

United States or were a citizen or national or permanent resident of the United States and employed in a foreign country; took short-term military leave, that is sixteen consecutive days or fewer, in a year during which they were entitled to receive an award under the Global Profit Sharing Plan; and were not credited or imputed earnings for such short-term military leave.

(b) For Count II, the court certifies a subclass of those American Airlines, Inc. pilots included in the subclass in Count I who, from January 1, 2016 through the date of judgment in this action, are or were eligible to participate in the American Airlines, Inc. 401(k) Plan for Pilots and subject to taxation in the United States.

(c) For Count III, the court certifies a subclass of current and former American Airlines, Inc. pilots who took short-term military leave, that is sixteen consecutive days or fewer, while employees of American Airlines, Inc. at any point from January 1, 2013 through the date of judgment in this action and were not paid for that leave equal to what they would have received had they taken leave for jury duty or bereavement.

(3) Excluded from the class outlined above are those American Airlines, Inc. pilots who are responsible for administering the American Airlines Group, Inc. Global Profit Sharing Plan and those American Airlines, Inc. pilots who reached individual settlements with or judgments against American Airlines Group, Inc. regarding inadequate profit sharing or against American Airlines, Inc. for failure to compensate short-term military leave under the Uniformed Services Employment and Reemployment Rights Act, 38 U.S.C. § 4301 et seq.

BY THE COURT:

/s/ Harvey Bartle III

J.